

1 **BEFORE THE INSURANCE COMMISSIONER**
2 **OF THE STATE OF CALIFORNIA**
3

4 In the Matter of the Application of

5 **FRANK ALVAREZ BALCORTA, JR.,**

6
7 Respondent.
8

File No. LBB 4466-AP (AR)

OAH No. L2008070478

9 **NOTICE OF REJECTION OF**
10 **PROPOSED DECISION**

11 Government Code Section 11517(c)
12

13 This matter was heard by Administrative Law Judge Joseph D. Montoya of the Office of
14 Administrative Hearings, in Los Angeles, California, on September 18, 2008, and the matter was
15 submitted on September 18, 2008. The Administrative Law Judge submitted the attached
16 Proposed Decision, dated October 20, 2008, to the Commissioner. The Proposed Decision was
17 received on October 27, 2008.

18 The Insurance Commissioner has considered, but has rejected the Proposed Decision insofar
19 as the Factual Findings, Legal Conclusions and proposed action are concerned, and will decide such
20 matters upon the record pursuant to the provisions of subdivision (c)(2)(E) of Section 11517 of the
21 Government Code.

22 In accordance with said provision of the Government Code, and prior to the issuance of a
23 final decision by the Insurance Commissioner:

- 24 1. You are entitled to a copy of the record. You will be
25 required to pay the direct costs of making the copy.
26 2. You may submit written argument to the Insurance
27 Commissioner.
28

1 If you want a copy of the record and/or intend to submit written argument to the
2 Insurance Commissioner, please notify the following person, in writing, within 30 days of the
3 date of this notice:

4 Patricia K. Staggs
5 Deputy General Counsel
6 California Department of Insurance
7 45 Fremont Street, 21st Floor
8 San Francisco, California 94105

9 If you want a copy of the record and/or intend to submit written argument to the
10 Insurance Commissioner, you should also notify the following person, in writing:

11 Kevin W. Bush
12 Senior Staff Counsel
13 California Department of Insurance
14 300 South Spring Street, 12th Floor
15 Los Angeles, California 90013

16 If you do not reply to this notice in writing within 30 days of the date set forth below, the
17 Insurance Commissioner will decide the case upon the record, including the transcript, and will
18 issue his decision without further notice to you.

19 The Insurance Commissioner must issue his decision in this matter not later than 100 days
20 after the date of this notice of rejection unless the transcript of the hearing is ordered. If the
21 transcript is ordered the decision must be issued not later than 100 days after the Insurance
22 Commissioner receives the transcript.

23 You may authorize the Insurance Commissioner to decide the case upon the record, without
24 including the transcript of the hearing. If you desire to do so, please notify the persons listed above
25 in writing within 30 days of the date of this notice.

26 Dated: 12/11/08

27 STEVE POIZNER
28 Insurance Commissioner

By /s/

PATRICIA K. STAGGS
Deputy General Counsel